IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 11529 of 2005

Between:

V. Veerayyamma, W/o late Linga Raju,

Occupation: Agriculture, Resident of Kamarajupeta village,

Gokavaram Mandal. East Godavari District.

….. PETITIONER

AND

1. The Additional Agent to the Government,.

East Godavari District at Rampa Chodavaram.

2. The Special Deputy Collector (TW),

Rampachodavaram, East Godavari District

3. The Mandal Revenue Officer, Gangavaram,

East Godavari District.

4. The Government of A.P., represented by its Principal

Secretary, Social Welfare Department, Secretariat,

Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may pleased to issue appropriate writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in evicting the petitioner from the land to an extent of Ac.4.20 acres of land in Survey No.69 of Yamanapalli village, Gangavaram Mandal, East Godavari District pending revision preferred

before the 4th respondent against the order in C.M.A.No.4 of 2004 on the file of first respondent as illegal, arbitrary and unjust and consequently direct the respondents not to evict the petitioner from the above land pending disposal of the revision in the interest of justice.

Counsel for the Petitioner: MR.K.VENKATESH

Counsel for the Respondents: GP FOR SOCIAL WELFARE

The Court made the following:

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ORDER:

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Heard the learned counsel appearing for both the parties.

2. It is the case of the petitioner that her husband purchased an extent of Ac.2.0-0 cents of land situated at Nellipudi village, Gangavaram Mandal, East Godavari District under an agreement of sale dated 06.04.1969 which subsequently got registered on 09.04.1972. After the death of her husband, she has been in continuous possession of the land. While so, the proceedings under L.T.R.No.198 of 2002 have been initiated under the A.P. Scheduled Areas Land Transfer Regulations, which is on the file of the 2nd respondent herein against the petitioner. The 2nd respondent passed orders dated 25.03.2003 in L.T.R.P.No.198 of 2002 directing to eject her from the land. Against the said order, the petitioner filed C.M.A.No.4 of 2004 before the first respondent and the first respondent by order dated 03.07.2004 upholding the orders passed by the 2nd respondent dismissed the C.M.A. Aggrieved by the said order, the petitioner filed a revision before the State Government on 28.03.2005 under Section 6 of the A.P. Scheduled Areas Land Transfer Regulations, 1959 along with an application to grant stay of the order of the first respondent herein. But no orders have been passed by the 4th respondent.

Having regard to the facts and circumstances of the case, the respondents are directed not to dispossess the petitioner from the land pending disposal of the stay application filed in the revision petition.

Accordingly, the writ petition is allowed. No costs.

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(V. ESWARAIAH, J)

Date: 24.05.2005.

Ksn

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Additional Agent to the Government,.

East Godavari District at Rampa Chodavaram.

2. The Special Deputy Collector (TW),

Rampachodavaram, East Godavari District

3. The Mandal Revenue Officer, Gangavaram,

East Godavari District.

4. The Principal Secretary to Government of A.P.,

Secretary, Social Welfare Department, Secretariat,

Hyderabad.

5. Two CCs to G.P. for Social Welfare, High Court Buildings, A.P.

Hyderabad, (OUT)

6. 2 CD copies

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